

**AN ORDINANCE BY
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GOERGIA, CHAPTER 162, ARTICLE II, SECTIONS 162-77(6) SO AS TO SPECIFICALLY ALLOW THIRD PARTIES APPROVED BY THE BUREAU, TO ADMINISTER THE EXAMINATION WHICH ALL NEW APPLICANTS FOR DRIVER PERMITS MUST PASS IN ORDER TO SECURE THEIR INITIAL PERMITS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including those businesses which relate to Vehicles for Hire; and

WHEREAS, City of Atlanta Code of Ordinances § 162-77 sets forth that in order to secure a driver permit for a vehicle for hire, an applicant must demonstrate sufficient knowledge of laws and sections of the City of Atlanta Code of Ordinances and other ordinances governing the operation of vehicles for hire and the location of streets, landmarks, institutions and attractions within the Atlanta metropolitan area by passing an examination administered by the Bureau of Taxicabs and Vehicles for Hire (the Bureau); and

WHEREAS, the Bureau recognizes that there has been a sizeable increase in the number of new driver applications; and

WHEREAS, due to the increase in the number of new applications, the Bureau's staff can no longer administer the examinations with the frequency necessary to ensure that new applicants will not be unduly delayed in receiving their permits; and

WHEREAS, due to the increase in the number of applications, new applicants are being forced to wait up to three months before they will have the opportunity to take the required examination given by the Bureau; and

WHEREAS, in order to expedite their entry into their careers as drivers of vehicles for hire, persons applying for new driver permits may choose to pay a third party to administer the required examination, rather than wait for the opportunity to take the examination administered by the Bureau free of charge; and

WHEREAS, currently, City of Atlanta Code of Ordinance § 162-77(6) does not allow third parties to administer this examination; and

WHEREAS, the City of Atlanta has an interest in ensuring that Vehicles for Hire driver examinations are provided on a consistent and regular basis; and

WHEREAS, the City of Atlanta has an interest in authorizing third parties to administer driver examinations.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1: That Chapter 162, Article II, Division 3, Section 162-77(6), of the City of Atlanta Code of Ordinances which reads:

(6) Successfully complete a driver training course for new applicants administered by any company or third-party approved by the bureau. No company or third party seeking such approval shall be denied due to its employment of individuals otherwise employed by the City of Atlanta. The course shall include but shall not be limited to information on laws and sections of this Code and other ordinances governing the operation of vehicles for hire and on the location of streets, landmarks, institutions, driver courtesy, driving safety and attractions within the Atlanta Metropolitan Area. The bureau shall provide training in these subjects to instructors employed by the companies or third-parties approved by the bureau for the purpose of teaching driver training courses. All applicants must demonstrate sufficient knowledge of laws and sections of this Code and other ordinances governing the operation of vehicles for hire and of the location of streets, landmarks, institutions and attractions within the Atlanta metropolitan area by passing an examination administered by the bureau by a score of at least 70 percent. The examination shall be based upon information contained in a manual for operation of vehicles for hire available from the Bureau. The examination may be administered orally, and any applicant who fails three times may not take it again for a period of 30 days.

be amended such as Chapter 162, Article II, Division 3, Section 162-77(6), of the City of Atlanta Code of Ordinances shall read as follows:

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the bureau for the purpose of teaching driver training courses. All applicants must demonstrate sufficient knowledge of laws and sections of this Code and other ordinances governing the operation of vehicles for hire and of the location of streets, landmarks, institutions and attractions within the Atlanta metropolitan area by passing an examination administered by the bureau, **or by any third party approved by the bureau**, by a score of at least 70 percent. The examination shall be based upon information contained in a manual for operation of vehicles for hire available from the Bureau. The examination may be administered orally, and any applicant who fails three times may not take it again for a period of 30 days.

Section 2: This ordinance shall take effect immediately upon adoption.

Section 3: Should it be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

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TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Investigator Kurt Braunsroth

Contact Number: (404) 853-4266

Originating Department: Department of Police

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: 28 May 2009

Anticipated Committee Meeting Date(s): 9 and 10 June 2009

Anticipated Full Council Date: 15 June 2009

Commissioner Signature: D/C George W. Jones

Chief Procurement Officer Signature: _____

CAPTION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GOERGIA, CHAPTER 162, ARTICLE II, SECTIONS 162-77(6) SO AS TO SPECIFICALLY ALLOW COMPANIES AND THIRD PARTIES APPROVED BY THE BUREAU, TO ADMINISTER THE EXAMINATION WHICH ALL NEW APPLICANTS FOR DRIVER PERMITS MUST PASS IN ORDER TO SECURE THEIR INITIAL PERMITS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only _____

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 5.27.09 Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)